## **Christin Scott**

From:

Tara Harrington <tlh@udel.edu>

Sent:

Tuesday, September 21, 2021 1:33 PM

To:

Planning and Zoning; Jamie Whitehouse

Subject:

2021-08 The Knoll opposition / Parcel 134-7.00-163.00

**CAUTION:** This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Dear Sussex County Planning and Zoning and Jamie Whitehouse,

Please record for all related hearings that we are opposed to the proposed subdivision "The Knoll" (33 single family lots) on parcel 134-7.00-163.00 (Zoning AR-1). Please reference the hearing notice 2021-08 The Knoll.

We are writing to express our strong opposition to the proposed subdivision "The Knoll". While the local community may be unable to prevent new development, many residents in the Greens at Indian River community (that backs to the proposed subdivision) are completely opposed to the proposed subdivision on parcel 134-7.00-163.00 that will allow more traffic, safety concerns, destroy local wildlife habitat, and potentially lower the property values of the existing community by losing the quaint "sussex county" rural appeal that many year-round residents love and enjoy about the area.

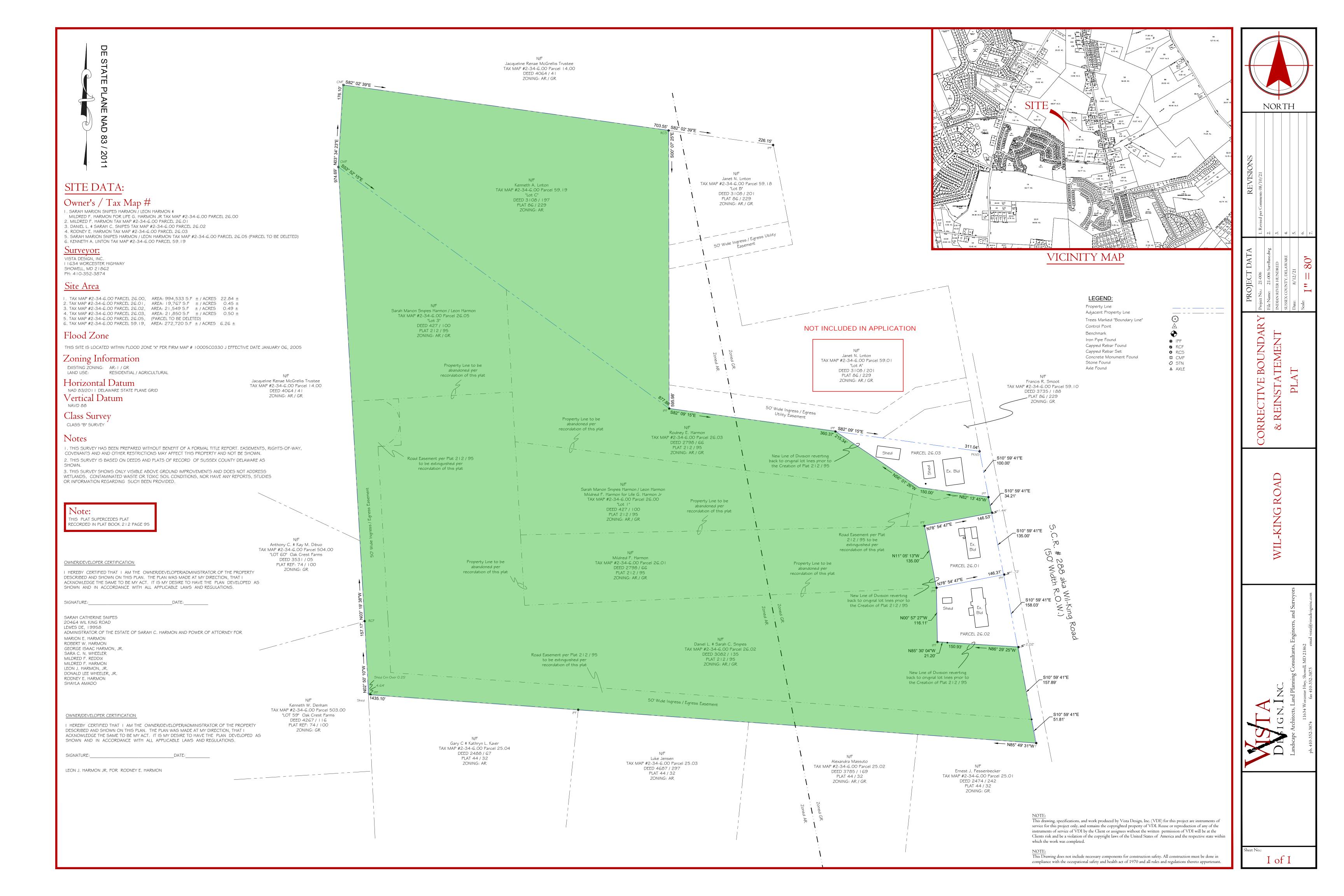
Traffic and safety of pedestrians are major areas of concern. In general, the area traffic is continuing to increase, and heavy traffic is already common in the summer months (as many moving to the area are seasonal residents). The road infrastructure is at its limit. Adding more residents and therefore vehicles on our roads, where many residents walk and bicycle, creates more safety concerns. We frequently walk our dog and 2 year old child in the stroller in this area and it is apparent that we are over capacity in terms of traffic along Irons Lane.

Wildlife has been observed in the area, and any development will destroy their habitat. Many deer and fox families are frequently sighted in the woods on the subject parcel and destroying their habitat will no doubt push them to the roads creating traffic safety concerns. Any planned development of the property should consider the continuing impact to local wildlife habitat. The presence of endangered species should also be investigated by the appropriate agency prior to approving development.

I urge you to deny the proposed subdivision, and from recent discussions with my neighbors, I know our opinions are shared by many who are unable to attend the upcoming public hearing or write letters and emails.

Sincerely,
Phillip and Tara Townsend
6 Windward Way
Dagsboro, DE 19939
The Greens at Indian River
(302)-299-9192

Thank you, Tara Townsend



# Legal Description Lands N/F Sarah Marion Snipes Harmon, Leon Harmon & Mildred F. Harmon for Life & G. Harmon Jr. Tax Map 2-34-6.00 Parcel 26.00 & Parcel 59.19

ALL that certain piece, parcel and tract of land lying and being situate in Indian River Hundred, Sussex County, State of Delaware and shown on a certain survey or plot titled "Corrective Boundary and Reinstatement Plat", prepared for Leon J. Harmon and Sarah C. Snipes by Vista Design, Inc. dated August 17, 2021, and of record in the Office of Recorder of Deeds in and for Sussex County, Delaware in Plot Book 349, Page 43 and being described more particularly as follows:

BEGINNING at an iron pipe found on the westerly right-of-way line of Sussex County Road #288 (50 feet wide right-of-way), also known as Wil-King Road; said pipe marking northeast corner of land now or formerly of Ernest J. Fessenbecker, Tax Map 2-34-6.00, Parcel 25.01, Deed Book 2474, Page 242, being situate a distance of 0.88 miles, more or less, from Sussex County Road #280B;

From the **POINT OF BEGINNING**; thence departing from westerly right-of way line of said Sussex County Road #288 and along northern boundary of said Parcel 25.01;

N 85 degrees 49 minutes 31 seconds W for a distance of 1,435.10 feet, passing over an iron pipe found at 1,430.46 feet to a point on a line marking northwest corner of land now or formerly of Gary C. and Kathryn L. Kaier, Tax Map #2-34-6.00, Parcel 25.04, Deed Book 2488, Page 67 and eastern boundary line of land now or formerly of Kenneth W. Denham, Tax Map #2-34-6.00, Parcel 503.00, Deed Book 4267, Page 116, thence turning and running along eastern boundary of said Denham Parcel 503.00;

N 02 degrees 50 minutes 10 seconds W for a distance of 157.17 feet to an iron rod with cap found, marking northeastern corner of said Denham Parcel 503.00 and southeastern corner of land now or formerly of Anthony C. and Kay M. Dibuo, Tax Map # 2-34-6.00, Parcel 504.00, Deed Book 3531, Page 5, thence running along eastern boundary of said Parcel 504.00;

N 03 degrees 19 minutes 38 seconds W for a distance of 974.69 feet to a concrete monument found, marking eastern boundary of land now or formerly of Jacqueline Renae McGrellis, Trustee, Tax Map #2-34-6.00, Parcel 14.00, Deed Book 4064, Page 41, thence continuing with eastern boundary of said McGrellis Parcel 14.00;

North 03 degrees 34 minutes 23 East for a distance of 176.10 feet to a found concrete monument along the eastern boundary line and corner of said McGrellis land, thence turning and continue running along southern boundary of said McGrellis land;

South 82 degrees 02 minutes 39 seconds East for a distance of 703.55 feet to an iron rod with cap found marking a point along the southern boundary of McGrellis land and the northwest corner of lands now or formerly of Janet N. Linton, Tax Map #2-34-6.00, Parcel 59.18, Deed Book 3108, Page 201, thence turning and running along western boundary of said Linton Parcel 59.18;

South 00 degrees 07 minutes 25 seconds West for a distance of 595.98 feet to an iron pipe found, marking the southwest corner of other lands now or formerly of Janet N. Linton, Tax Map 2-34-6.00, Parcel 59.01,

Deed Book 3108, Page 201, thence turning and running along southern boundary of said Linton Parcel 59.01;

S 82 degrees 09 minutes 15 seconds E for a distance of 360.37 feet to an iron pipe found, marking new line of division of Parcel 26.03, Tax Map #2-34-6.00, reverting back to original lot lines prior to the creation of Plat Book 212, Page 95, thence the following two courses along the new line of division of said Parcel 26.03;

S 56 degrees 01 minutes 26 seconds E for a distance of 215.34 feet to a point on a line, thence;

S 82 degrees 13 minutes 45 seconds E for a distance of 150.00 feet to an iron pipe found, marking southeastern corner of said Parcel 26.03 and western right-of-way line of said Sussex County Road #288, thence running along and with western right-of way line;

S 10 degrees 59 minutes 41 seconds E for a distance of 34.21 feet to a point marking the northwest corner of land now or formerly of Mildred F. Harmon, Tax Map 2-34-6.00, Parcel 26.01, thence departing from said right-of way line and running with northern boundary of said Parcel 26.01, and the new line of division reverting back to original lot lines prior to creation of Plat Book 212, page 95;

S 78 degrees 54 minutes 47 seconds W for a distance of 146.53 feet to an iron pipe found, marking northwest corner of said Parcel 26.01, thence turning and running with new line of division reverting back to original lot lines prior to creation of Plat Book 212, page 95;

S 11 degrees 05 minutes 13 seconds E for a distance of 135.00 feet to an iron pipe found, marking southwest corner of said Parcel 26.01 and northwest corner of land now or formerly of Daniel L. and Sarah C. Snipes, Tax Map #2-34-6.00, Parcel 26.02, Deed Book 3082, Page 135, thence the following the next three courses on a new line of division of said Parcel 26.02, reverting back to original lot lines prior to creation of Plat Book 212, page 95;

S 00 degrees 57 minutes 27 seconds E for a distance of 116.11 feet to an iron pipe found, thence; S 85 degrees 30 minutes 04 seconds E for a distance of 21.20 feet to a point on a line, thence; S 86 degrees 29 minutes 25 seconds E for a distance of 150.93 feet to a point on a line of westerly right-of way line of said Sussex County Road #288, thence turning and running along said westerly right-of way line;

S 10 degrees 59 minutes 41 seconds E for a distance of 157.89 feet to a point on said westerly right-ofway line, thence continuing with said right-of way line;

S 10 degrees 59 minutes 41 seconds E for a distance of 51.81 feet to an iron pipe found marking the place and POINT OF BEGINNING, containing 1,267,253 square feet or 29.10 aces of land more or less.

My License Expires 06/30/2023

File	#:		
LIIC	₩.		

# Planning & Zoning Commission Application Sussex County, Delaware

Sussex County Planning & Zoning Department 2 The Circle (P.O. Box 417) Georgetown, DE 19947 302-855-7878 ph. 302-854-5079 fax

Type of Application: (please chec	ck applicable)				
Conditional Use Zoning Map Amendment ✓					
Zoming map Americanient					
Site Address of Conditional Use/	Zoning Map Amendment				
West side of Wil King Road +/- 1 mile south of Kendale Road intersection  Type of Conditional Use Requested:					
	22.83 Acres MR (Proposed CZ from AR-1 & GR)				
Current Zoning: AR, GR Pro	posed Zoning: AR-1 & MR Size of Building:  6.24 Acres AR-1 (Existing to Remain)				
Land Use Classification: Residentia	<u> </u>				
Water Provider: Tidewater Utilities	Sewer Provider: Sussex County				
Applicant Information					
Applicant Name: Double DB, LP					
Applicant Address: 507 North York	Street, Suite 2D				
City: Mechanicsburg	State: <u>PA</u>				
Phone #:	State: PA ZipCode: 17055  E-mail: admin@DBLPRE.com				
Owner Information					
Owner Name: see attached					
Owner Address:					
City:	State: Zip Code:				
Phone #:					
Agent/Attorney/Engineer Inform Landscape Architect	<u>nation</u>				
Agent/Attorney/Engineer Name:	Jeff Clark, RLA - Land Tech Land Planning, LLC				
	S: Taggart Professional Center; 32895 S. Coastal Highway				
City: Bethany Beach	State: <u>DE</u> Zip Code: <u>19930</u>				
Phone #. (302) 530-2366	F_mail· ieffc@landtechllc.com				







# Lauren DeVore

From:

janet ledigabel <jreganlinton@hotmail.com>

Sent:

Wednesday, September 22, 2021 11:02 AM

To:

Planning and Zoning; Lauren DeVore

Subject:

Fwd: Post Script -Re: Land Wil King Road Sussex County, DE

**CAUTION:** This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

I will be presenting my case against Wil King Station tomorrow for the County Commission Meeting.

Sincerely,

Janet Le Digabel

Sent from my Samsung Galaxy, an AT&T LTE smartphone

----- Original message ------

From: janet ledigabel < jreganlinton@hotmail.com>

Date: 9/22/21 9:43 AM (GMT-05:00) To: jreganlinton@hotmail.com

Subject: Fwd: Post Script -Re: Land Wil King Road Sussex County, DE

Good Day Lauren and the Sussex County Planning and Zoing Board-

The meeting agenda for tomorrow, 9/23 includes Wil King Station.

Please see the attached email thread from Webster Gray, a partner in the project.

Briefly, I own the parcel next to this proposed site. He had been emailing me for 2 years, with various low ball offers to buy my attached 4 acre parcel, promising to leave it as 'green space' at one point. It became a shell and nut game with his various offers. I only wonder how many farmers are not quick enough to see through this game, and get taken advantage of by this developer and others.

I will oppose this development tomorrow evening for various reasons and I ask that the commission defer until my items are reviewed:

1) I ask that the proposed playground to be left as green space NOT a PLAYGROUND. Leave the mature growth trees. As Mr. Constance Holland of the Office of State Planning and Coordination indicates in his report dated December 2, 2020, that the Wetlands Mapping Project indicates under Wetlands, quote 'the potential presence of freshwater wetlands located toward the center of the site'. Some of this proposed 24 acres are in Level 4 Wetlands. Saving this area from development will help save the wildlife from, as Mr. Holland's letter states, 'Development of this site is anticipated to displace local wildlife' and, quote 'wildlife displaced by encroaching development may become a nuisance for homeowners. I love the use of Mr. Hollands word, 'nuisance', who is the nuisance here? The cookie cutter developments that rape our natural resources, or the deer? Guess what, your auto insurance and mine will go up as there will be many more 'deer' accidents on Wil King Road, hopefully not killing a human being. This developer, as well as others, build right

upon Wetlands, destroying what natural sites can be left for the generations to come. And home buyers have no idea that they are purchasing a home on wet grounds. At Harts Landing on RT 24 in Lewes, not too far from this proposed plan, there is a beautiful natural area in the center, with mature growth trees, and a walking trail around it. I ask the commission to require the developer to change his plot plan to eliminate the playground, and keep the space as mature woodlands and wetlands. This is reasonable.

- 2) I ask that the developer must include a 20ft buffer around all property lines, leaving the mature growth trees and buyers of these lots must agree to this in writing when purchasing. This is reasonable.
- 3) I would like a 6 ft, wood on wood privacy fence along my property line to be installed buy the developer and to be maintained by the HOA. This is also reasonable.
- 4) I would like Chief Natosha Carmine of the Nanticoke Indian Tribe or her appointee to be informed in writing of the potential for this to be a Historic Nanticoke site. I ask that an archaelogical investigation to be completed, to be paid for by the developer, to find out if this land is a Native Burial Ground, and or a Historic Preservation site. I would like the findings be published to the County Commission and the Public BEFORE any building is started. You may remember Eagle Crest Townhomes off of Shady Road in Lewes. It was the Daisy Nanticoke burial ground. The site was buildozed down and only after everything was built, a monument was installed. This is Sad. Very Sad. Don't let this happen.
- 4) As Sussex County population is growing by Leaps and Bounds, a 2019 traffic study on Wil King Road is outdated. Wil King Rd, is a cut through from Rt 1, Rt 9, and Rt 24. The US Census indicated that our County is growing by 2.02% per year. This is a 4% increase over the course of 2 years, over 10 years, 20%. A new traffic study is in order and even though this shell game of paying the TID to DelDot instead of doing a traffic study, which the homebuyers end up paying back this TID in fees to the developer anyway, I ask for a traffic Impact Study to be done and paid for by the developer. I lived there for 20 years. I know how bad traffic is on Wil King Road. I also recommend to DelDot that the speed limit be reduced to 35mph, as Wil King Road has no shoulder, there is no where to stand when retrieving ones mail. One has to jump into the ditch as cars speed by. I would like DelDot to investigate the lack of shoulder on this road, safety hazzards and lower the speed limit. I will write to Brian Yates and Sarah Coakley at DelDot to request this, however, I ask the commission defer until the study is completed.
- 5) I ask that the name of the project be changed to something more harmonious with Nature. Since most of this is Sara Harmons Land originally, and since she is deceased, and their heirs are all Harmon descendants, and they are all Registered Nanticoke, Perhaps Harmony Retreat.
- 6) This is very important. I own the land connected to this parcel, and in no way will I ever agree to extend La Jolla Shores drive to connect to a muti unit housing complex ever. I am against cookie cutter developments and feel that they are ruining Sussex County. I have informed Mr. Webster Gray of this already and I have suggested to him in writing that he make a cul-de-sac where he has the dead end street. As per section 3.5.4.4 of the DelDot Manual as stated by Mr Holland, DelDot addresses requirements for accessways. According to Mr. Gray's plot plan, there is a dead end street connected to my property. With this existing plot plan, this could potentially disrupt my parcel if DelDot requires additional accessways to this parcel. Very tricky Mr. Gray. Therefore, I ask that the engineer re-design this to possibly connect to Beaver Dam acres or, eliminate this dead end completely so as to assure the safety and rights of keeping my parcel intact without a road going through it.
- 7) Make sure a qualified Delineator completes a wetlands study. Make no exceptions. If wetlands are found, they are to be maintained and left alone with the required buffer zones around all sides.
- 8) as Per Mr. HoLLANDS report, The State Historic Preservation Office does not recommend developing in Level 4 areas. I agree. Any level 4 areas should be left to nature. We need the commission to start following the state recommendations.

- 9) again, I do not wish to connect to this development through my parcel 234-6-5غ. عند Eliminate the STUB street near my parcel. I would ask that I have a say in protecting my asset.
- 10) Request that more than the proposed 2 acres of forest be preserved. Cutting down 18 of the 21 acres of forest will as Mr. Hollands report says will have impact on the rare, threatened, and endangered species that rely on this type of habitiat.

Lastly, after reading Mr. Hollands reports, with so many factors such as a Native American historic site, Wetlands, Level 4 Wetlands, cutting down 18 of the 21 acres of mature growth trees that have been there since 1937, eliminating the natural habitat for many endangered species, the need for forests to provide habitat for wildlife, uptake nutients, infiltrate stormwater, and improve water quality, reducing carbon, a forest assestment should be required and if consercation areas are found, these areas should be conserved to the maximum extent as possible.

In closing, this land is not prime development for a cookie cutter, zero lot line, 4 homes per acre development. This land would be better oreserved if such parcels were sold as individuals and made into farmettes.

Respectfully,

Janet Le Digabel owner Parcel 234-6-59.01 Owner 31428 La Jolla Shores Drive, Lewes, De 19958

Post script, I apologize for any typos as I was typing this on my phone on a flight after a business trip at 7am today.

Sent from my Samsung Galaxy, an AT&T LTE smartphone

----- Original message -----

From: janet ledigabel < jreganlinton@hotmail.com>

Date: 9/21/21 10:03 PM (GMT-05:00)

To: janet ledigabel < jreganlinton@hotmail.com>

Subject: Fwd: Post Script -Re: Land Wil King Road Sussex County, DE

Sent from my Samsung Galaxy, an AT&T LTE smartphone

----- Original message -----

From: Webster Gray <webster.gray@yahoo.com>

Date: 1/7/20 6:12 PM (GMT-05:00)

To: janet ledigabel < jreganlinton@hotmail.com>

Subject: Re: Post Script -Re: Land Wil King Road Sussex County, DE

Appreciate the feedback!

If we would contractually agree to preserve your 4 acre wooded property and not development it would that change your mind to sell as well?

Thanks,

Web

Sent from my iPhone

On Jan 7, 2020, at 5:58 PM, janet ledigabel < jreganlinton@hotmail.com > wrote:

I understand Webster. If you were more inclined ro build a 'Walden' type development, I would be more inclined to sell. I'm more of a Julia Butterfly Hill type than a money motivated person.

We need more developments such as Bryn Gweled in Bucks County, PA, or Arden, in New Castle, Delaware.

Please check out those two utopian type developments and consider something different for Sussex County.

I am very much against the builders who build cheaply constructed housing units on 1/3 acre lots and ruin the beautiful Sussex County Landscape.

Good Luck with your project. There is a need and market for 1 acre lots and even 1/2 acre lots. Maybe you can start a new trend.

Cheers,

Janet Le Digabel

Sent from my Samsung Galaxy, an AT&T LTE smartphone

----- Original message -----

From: Webster Gray <webster.gray@yahoo.com>

Date: 1/7/20 2:24 PM (GMT-05:00)

To: janet ledigabel < jreganlinton@hotmail.com>

Subject: Re: Post Script -Re: Land Wil King Road Sussex County, DE

Janet,

Not a problem. Within the next couple of weeks we will be starting to spend money and get our engineers, real estate attorney, surveyors, wetlands, etc involved to take the Wil King adjoining properties we have under contract and start coming up with a development plan.

So if you do have any interest at all in selling, it would be great if you can respond sooner than later so we can incorporate your property into the development design. As if we get too far down the road, it wont be cost effective for us to pay additional professional fees to rework the development plans just to add your small 4 acre property in the mix.

Thanks!

Web

On Tuesday, January 7, 2020, 2:17:44 PM EST, janet ledigabel < jreganlinton@hotmail.com> wrote:

Happy New Year Webster, and thank you kindly for all of your information and background on your development projects.

I am currently focusing on other projects that I have not thought very much about selling my acreage.

When the time is right, I'll contact you.

Best Regards,

Janet Le Digabel

Sent from my Samsung Galaxy, an AT&T LTE smartphone

----- Original message -----

From: Webster Gray <webster.gray@yahoo.com>

Date: 1/7/20 1:54 PM (GMT-05:00)

To: janet ledigabel <jreganlinton@hotmail.com>

Subject: Re: Post Script -Re: Land Wil King Road Sussex County, DE

Hey Janet,

Hope you had a great holiday season and the new year is off to a great start for you.

Just wanted to check in and see if your stance changed on the purchase price per acre on your 4acre wooded property?

Thanks, Web

On Tuesday, December 10, 2019, 6:30:38 PM EST, Webster Gray <webster.gray@yahoo.com> wrote:

I can appreciate your sentiment...We grew up in a log house with 2 ponds we swam and fished in that dad built in a small town in northeast PA and grew up around woods, hills, mountains, our grandparents active farm that I own now.

You need to keep so much green space in a development project and if the engineers feel it would work nicely for the lot design plan, agree your 4 acre wooded property would be a great area to leave untouched and contribute to that green space.

Sent from my iPhone

On Dec 10, 2019, at 3:05 PM, janet ledigabel < irganlinton@hotmail.com > wrote:

Webster-

Post Script - I am pretty much and environmentalist and would not want to bear to see the desescration of a beautiful wooded parcel to see Schell Brothers slap some cheaply built homes on 1/3 of an acre.

Just my thoughts.

Thanks,

## Janet Le Digabel

Sent from my Samsung Galaxy, an AT&T LTE smartphone

----- Original message -----

From: Webster Gray <webster.gray@yahoo.com>

Date: 12/10/19 12:24 PM (GMT-05:00)

To: janet ledigabel <<u>jreganlinton@hotmail.com</u>> Subject: Re: Land Wil King Road Sussex County, DE

Hey Janet,

Hope you had a great thanksgiving holiday and you are ready for the winter holiday season ahead!

I appreciate the feedback you provided.

I think we could probably be agreeable to a lot of your terms, but the purchase price per acre is way too high for us. For the most part, we have not been paying more than \$25k per acre on Wil King. And we just recently got the 13k acre Wil King property across the street under contract and we should be able to treat it as one development project with the our other Wil King properties that surround your 4 acre wooded property per Planning and Zoning.

So either way it is fine if you want to keep your property for your own investment flip and/or long term rental purposes as we don't need it for our development project. But we would be interested in adding your property to our development, if you would reconsider the purchase price per acre.

Thanks!

Web

On Sunday, November 3, 2019, 11:08:50 AM EST, janet ledigabel < irganlinton@hotmail.com wrote:

Hi Webster -

At this time, the amount that I would be interested in is \$100,000 per acre for the parcel off of Wil King Road, with a non-refundable \$50,000 down payment, and full payment due at the time of settlement. I do not use a realtor, I would use the settlement services of attorney Susan Pittard Weidman, Rehoboth Beach, Delaware, for sales contract and settlement. I would want to settle within 60-90 days from the acceptance of your offer.

Regards,

Janet Le Digabel 302-344-3694